

BARNES & THORNBURG LLP

11 South Meridian Street
Indianapolis, Indiana 46204
(317) 236-1313
(317) 231-7433 Fax

IN THE UNITED STATES PATENT OFFICE

Earliest Priority 25 December 2002 (25.12.02)
Date:

International Serial No.: PCT/JP2003/016805

U.S. Serial No.: 10/540,454

Invention: CAPACITANCE DETECTING
PROXIMITY SENSOR

Applicant: ABE, Hiroshi

International Filing Date: 25 December 2003 (25.12.03)

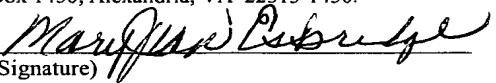
Attorney Docket: 40433-78389 (Previously ABE)

Certificate Under 37 CFR 1.10

Express Mail No.: EV 633514035 US

Date of Mailing: 24 May 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


(Signature)

Mary Jean Eskridge

(Typed or Printed Name of Person Mailing Paper or Fee)

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Attn: DO/EO/US--Kaya L Lewis Baltimore
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed 10 May 2006 (10.05.06), applicant submits herewith:

1. original Declaration for Utility or Design Patent Application (37 CFR 1.63);
2. copy of Power of Attorney to Prosecute Applications Before the USPTO;

3. original Statement Under 37 CFR 3.73(b);
4. copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
5. Information Disclosure Statement;
6. Form Based on Form PTO 1449; and
7. copies of six foreign patent documents.

The surcharge fee of \$65.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date was paid on 22 June 2005 (22.06.05) with the lodging of the national papers.

It is believed that no fee is due. However, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 10-0435, referencing attorney docket no. 40433-78389. A duplicate of this Response is enclosed.

Respectfully submitted,



Richard D. Conard
Atty. Reg. No. 27321
Attorney for Applicant

RDC/mje/810877v1
Indianapolis, Indiana 46204
(317) 231-7285

Attachments: 7 as stated above

Express Mail No.: EV 633514035 US



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/540,454	Hiroshi Abe	ABE

23643
BARNES & THORNBURG
11 SOUTH MERIDIAN
INDIANAPOLIS, IN 46204

RECEIVED

MAY 16 2006

PARNES & THORNBURG

CONFIRMATION NO. 1418

371 FORMALITIES LETTER

12/25/2003 **12/25/2002**

PCT/JP03/16805

I.A. FILING DATE	PRIORITY DATE
12/25/2003	12/25/2002

CONFIRMATION

A standard linear barcode is located at the bottom of the page, spanning most of the width.

OC000000018728741

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Date Mailed: 05/10/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/22/2005
- English Translation of the IA filed on 06/22/2005
- Copy of the International Search Report filed on 06/22/2005
- Preliminary Amendments filed on 06/22/2005
- U.S. Basic National Fees filed on 06/22/2005
- Priority Documents filed on 06/22/2005
- Specification filed on 06/22/2005
- Claims filed on 06/22/2005
- Drawings filed on 06/22/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

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FOR MIS/Res
BY mgc
DATE 18 May 1966
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OOT.
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must be mailed

A copy of this notice MUST be returned with the response.

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,454	PCT/JP03/16805	ABE

FORM PCT/DO/EO/905 (371 Formalities Notice)

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CERTIFICATE UNDER 37 C.F.R. § 1.10

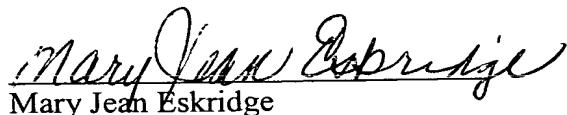
MAIL STOP PCT
Attention: DO/EO/US
Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

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Date of Deposit: 24 May 2006 (2405.06)

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Mary Jean Eskridge

Mary Jean Eskridge

Indianapolis, Indiana
(317) 231-7303

FORM PTO-1390 (Modified) (REV. 2-2005) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE		ATTORNEY'S DOCKET NUMBER 40433-78389 (Previously ABE)
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/540,454
INTERNATIONAL APPLICATION NO. PCT/JP2003/016805	INTERNATIONAL FILING DATE 25 December 2003 (25.12.03)	PRIORITY DATE CLAIMED 25 December 2002 (25.12.02)
TITLE OF INVENTION CAPACITANCE DETECTING PROXIMITY SENSOR		
APPLICANT(S) FOR DO/EO/US ABE, Hiroshi		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. <input type="checkbox"/> The US has been elected (Article 31). <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). 		
Items 13 to 23 below concern document(s) or information included: <ol style="list-style-type: none"> <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. <input type="checkbox"/> A substitute specification. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Express Mail Label No. EV 633514035 US <input checked="" type="checkbox"/> Other items or information: <ol style="list-style-type: none"> a. Statement Under 37 CFR 3.73(b); b. Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); and c. Response to Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US). 		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) 10/540,454		INTERNATIONAL APPLICATION NO. PCT/JP2003/016805		ATTORNEY'S DOCKET NUMBER 40433-78389 (Previously ABE)																																																																																																																																																																																								
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<p>The following fees are submitted:</p> <table border="1"> <tr> <td>24. <input type="checkbox"/> Basic national fee</td> <td>\$300</td> <td>\$</td> <td>\$0.00</td> <td></td> </tr> <tr> <td>25. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)</td> <td>\$100</td> <td>\$</td> <td>\$0.00</td> <td></td> </tr> <tr> <td>All other situations</td> <td>\$200</td> <td></td> <td></td> <td></td> </tr> <tr> <td>26. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority</td> <td>\$100</td> <td></td> <td></td> <td></td> </tr> <tr> <td>International Search Report prepared and provided to the Office</td> <td>\$400</td> <td></td> <td></td> <td></td> </tr> <tr> <td>All other situations</td> <td>\$500</td> <td>\$</td> <td>\$0.00</td> <td></td> </tr> <tr> <td colspan="2">TOTAL OF 24, 25 and 26 =</td> <td>\$</td> <td>\$0.00</td> <td></td> </tr> <tr> <td colspan="6"> <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. </td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td>Number of each additional 50 or fraction thereof (round up to a whole number)</td> <td>RATE</td> <td colspan="2"></td> </tr> <tr> <td>- 100 =</td> <td>0 /50 =</td> <td>0</td> <td>x \$250.00</td> <td>\$</td> <td>\$0.00</td> </tr> <tr> <td colspan="6">Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).</td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> <td colspan="2"></td> </tr> <tr> <td>Total claims</td> <td>- 20 =</td> <td>0</td> <td>x \$50.00</td> <td>\$</td> <td>\$0.00</td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td>0</td> <td>x \$200.00</td> <td>\$</td> <td>\$0.00</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/></td> <td>+ \$360.00</td> <td>\$ \$0.00</td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$</td> <td>\$0.00</td> </tr> <tr> <td colspan="6"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. </td> </tr> <tr> <td colspan="6">SUBTOTAL = \$ \$0.00</td> </tr> <tr> <td colspan="6">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). + \$ \$0.00</td> </tr> <tr> <td colspan="6">TOTAL NATIONAL FEE = \$ \$0.00</td> </tr> <tr> <td colspan="6">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + \$ \$0.00</td> </tr> <tr> <td colspan="6">TOTAL FEES ENCLOSED = \$ \$0.00</td> </tr> <tr> <td colspan="6"> <table border="1"> <tr> <td>Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td>Amount to be charged:</td> <td>\$</td> </tr> </table> </td> </tr> <tr> <td colspan="6"> <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 10-0435. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> </td> </tr> <tr> <td colspan="6">NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</td> </tr> <tr> <td colspan="6">SEND ALL CORRESPONDENCE TO:</td> </tr> <tr> <td colspan="6"> CONARD, Richard D. BARNES & THORNBURG LLP 11 South Meridian Street Indianapolis, IN 46204 US </td> </tr> <tr> <td colspan="6">Customer No. 23643</td> </tr> <tr> <td colspan="6">  SIGNATURE Richard D. CONARD, 24 May 2006 </td> </tr> <tr> <td colspan="6"> NAME 27321 </td> </tr> <tr> <td colspan="6"> REGISTRATION NUMBER </td> </tr> </table>						24. <input type="checkbox"/> Basic national fee	\$300	\$	\$0.00		25. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)	\$100	\$	\$0.00		All other situations	\$200				26. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority	\$100				International Search Report prepared and provided to the Office	\$400				All other situations	\$500	\$	\$0.00		TOTAL OF 24, 25 and 26 =		\$	\$0.00		<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). 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